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FM AMEMBASSY OTTAWA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 8018
INFO RUCNCAN/ALL CANADIAN POSTS COLLECTIVE PRIORITY
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UNCLAS SECTION 01 OF 02 OTTAWA 000794

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STATE FOR WHA/CAN AND EEB/TPP/IPE
STATE PASS USTR FOR MELLE, SULIVAN, AND GARDE
COMMERCE FOR SEBASTIAN WRIGHT

E.O. 12958: N/A
TAGS: [ECON](#) [ETRD](#) [KIPR](#) [CA](#)
SUBJECT: GOVERNMENT OF CANADA INTRODUCES ACT TO AMEND
COPYRIGHT ACT - AT LAST

REF: OTTAWA 586

¶1. (U) On June 12, the Government of Canada introduced Bill C-61, An Act to amend the Copyright Act. This action had been long awaited. Minister of Industry Prentice characterized the bill as a "unique, made-in-Canada approach to copyright reform...(which will) improve the protection of cultural and intellectual property in Canada." Canadian Heritage Minister Verner said "These proposed amendments represent the first major reform of the Copyright Act in more than a decade."

¶2. (U) Since Parliament is expected to adjourn for summer recess by the end of next week, hearings on the bill in the House of Commons Industry Committee are not expected until fall. We expect that the hearings will last several months. If the Prime Minister prorogues (adjourns and clears all outstanding legislation from) Parliament as rumored, then the bill would die on the table and would need to be reintroduced in the fall.

¶3. (U) Stakeholders have begun analyzing the lengthy and complex document but have not yet issued substantive comments. Michael Geist, a University of Ottawa Law Professor and influential critic of reforming the Copyright Act, claims that the Canadian Act "is a close model of the U.S. Digital Millennium Copyright Act (DMCA)" and the Act's "digital lock provisions are worse (stronger) than the DMCA."

¶4. (U) The Embassy emailed the text of the bill to relevant Washington Agencies and will report reactions to the legislation in septel.

¶5. (U) Text of Industry Canada press release:

Government of Canada Proposes Update to Copyright Law:
Balanced Approach to Truly Benefit Canadians
OTTAWA, June 12, 2008 --Today the Government of Canada introduced long-overdue and much-needed amendments to the Copyright Act that will bring it in line with advances in technology and current international standards.

"Our government has committed to ensuring Canada's copyright law is up to date, and today we are delivering by introducing this "made-in-Canada" bill that balances the interests of Canadians who use digital technology and those who create content," said the Honourable Jim Prentice, Minister of Industry. "It's a win-win approach because we're ensuring that Canadians can use digital technologies at home with their families, at work, or for educational and research purposes. We are also providing new rights and protections for Canadians who create the content and who want to better secure their work online."

"These proposed amendments represent the first major reform of the Copyright Act in more than a decade. In that time, the Internet and other new technologies have radically changed the way we produce and access copyright material," said the Honourable Jose Verner, Minister of Canadian Heritage, Status of Women and Official Languages and Minister for La Francophonie. "Canadians are known around the world for their creativity and ingenuity, and many of their ideas are found in the books we read, the music we listen to, the movies we watch, and the new digital technology we use in our day-to-day lives. Our balanced copyright reform builds on these successes."

Today's announcement follows the government's commitment in the 2007 Speech from the Throne to proceed with copyright reform. The proposed amendments include:

new exceptions that will allow Canadian consumers to legally record television shows for later viewing and copy legally acquired music onto other devices, such as iPods or cellphones;

new exceptions for some educational and research purposes;

new rights and protections for those who create content; and

provisions to address the liability of Internet service providers and the role they should play in curbing copyright-infringing activities on their networks.

Four principles motivated the government in the development of the proposed changes to the Copyright Act:

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1. The rights of those who hold copyright must be balanced with the needs of users to access copyright works.

2. The Copyright Act must provide clear, predictable and fair rules to allow Canadians to derive benefits from their creations.

3. The Copyright Act should foster innovation in an effort to attract investment and high-paying jobs to Canada.

4. Canada must ensure that its copyright framework for the Internet is in line with international standards.

These amendments to the Copyright Act are part of the government's broader intellectual property strategy, which includes the recent amendments to the Criminal Code to combat movie piracy and the announcement that Canada will work with other international trading partners towards a possible Anti-Counterfeiting Trade Agreement (ACTA).

For more information, please visit the Copyright Reform Process website at <http://www.ic.gc.ca/epic/site/crp-prda.nsf/en/home>.

End Text

Visit Canada's Economy and Environment Forum at <http://www.intelink.gov/communities/state/canada>

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